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F.#2006R00012

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U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ JAN 12 2006 ★

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LONG ISLAND OFFICE

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

PIETRO POLOUIZZI,
also known as "Peter
Polouicci," "Peter Pietro-
Polouicci" and "Peter
Polizzi,"

Cr. No. _____
(T. 18, U.S.C., §§
2252A(a)(2)(A),
2252A(a)(5)(B),
2252A(b)(1), 2252A(b)(2),
2253 and 3551 et seq.)

Defendant.

- - - - -X

WEINSTEIN, J.

THE GRAND JURY CHARGES:

GO, M.

COUNTS ONE THROUGH NINE
(Receipt of Child Pornography)

1. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendant PIETRO POLOUIZZI, also known as "Peter Polouicci," "Peter Pietro-Polouicci" and "Peter Polizzi," did knowingly and intentionally receive child pornography, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
ONE	"WCPA6389.JPG"	February 18, 2005
TWO	"WCPA4642.JPG"	February 18, 2005
THREE	"WCPA4530.JPG"	February 18, 2005
FOUR	"WCPA4500.JPG"	February 18, 2005
FIVE	"WCPA4501.JPG"	February 18, 2005

<u>COUNT</u>	<u>FILENAME</u>	<u>DATE</u>
SIX	"WCPA4502.JPG"	February 18, 2005
SEVEN	"1.BMP"	February 24, 2005
EIGHT	"014.mpeg"	March 5, 2005
NINE	"022.mpeg"	March 5, 2005

which images had been transported in interstate and foreign commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1) and 3551 et seq.)

COUNTS TEN THROUGH EIGHTEEN
(Possession of Child Pornography)

2. On or about November 16, 2005, within the Eastern District of New York and elsewhere, the defendant PIETRO POLOUIZZI, also known as "Peter Polouicci," "Peter Pietro-Polouicci" and "Peter Polizzi," did knowingly and intentionally possess materials containing images of child pornography, to wit: the images depicted in the following computer files:

<u>COUNT</u>	<u>FILENAME</u>
TEN	"WCPA6389.JPG"
ELEVEN	"WCPA4642.JPG"
TWELVE	"WCPA4530.JPG"
THIRTEEN	"WCPA4500.JPG"
FOURTEEN	"WCPA4501.JPG"
FIFTEEN	"WCPA4502.JPG"
SIXTEEN	"1.BMP"
SEVENTEEN	"014.mpeg"

<u>COUNT</u>	<u>FILENAME</u>
EIGHTEEN	"022.mpeg"

which images had been transported in interstate and foreign commerce by computer.

(Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant charged in Counts One through Eighteen that, upon his conviction of any such offense, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253, of (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A or 2260 of Title 18, United States Code, and any book, magazine, periodical, film, videotape, and other matter produced, transported, mailed, shipped and received in violation of the offenses of conviction; (b) any property, real and personal, constituting or traceable to gross profits and other proceeds obtained from such offenses; and (c) any property, real and personal, used or intended to be used to commit or to promote the commission of the offenses of conviction, including, but not limited to the following property:

Specific Property

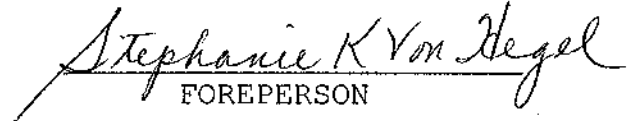
a. One clone CPU, brand unknown, serial number unknown;


- b. One ANTEC CPU, serial number unknown;
 - c. One external Maxtor hard drive, serial number B61P9X5H;
 - d. One HP Media Center personal computer, serial number MXK52011WB;
 - e. One package of "Wipedrive" software;
 - f. One package of Internet Clean-up software;
 - g. One clone "Thermaltake" CPU;
 - h. One external Maxtor hard drive, serial number A81CX89E; and
 - i. One Systemax CPU, serial number 104666130.
4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
- (a) cannot be located upon the exercise of due diligence;
 - (b) has been transferred or sold to, or deposited with, a third party;
 - (c) has been placed beyond the jurisdiction of the court;
 - (d) has been substantially diminished in value; or
 - (e) has been commingled with other property which cannot be divided without difficulty;
- it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any

other property of such defendant up to the value of the
forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 2253)

A TRUE BILL


FOREPERSON


ROSLYNN R. MAUSKOPF
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

